

COBLENTZ PATCH DUFFY & BASS LLP
ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
415.391.4800 • FAX 415.989.1663

1 REES F. MORGAN (State Bar No. 229899)
JONATHAN R. BASS (State Bar No. 75779)
2 STAN ROMAN (State Bar No. 87652)
SARAH E. PETERSON (State Bar No. 309733)
3 MARI SAHAKYAN CLIFFORD (State Bar No. 331152)
COBLENTZ PATCH DUFFY & BASS LLP
4 One Montgomery Street, Suite 3000
San Francisco, California 94104-5500
5 Telephone: 415.391.4800
Facsimile: 415.989.1663
6 Email: ef-rfm@cpdb.com
ef-jrb@cpdb.com
7 ef-sgr@cpdb.com
ef-sep@cpdb.com
8 ef-msc@cpdb.com

9 Attorneys for Claimants
First 100, LLC, 1st One Hundred Holdings, LLC
10 and Battle Born Investments Company, LLC,

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 Approximately 69,370 Bitcoin (BTC), Bitcoin
19 Gold (BTG), Bitcoin SV (BSV), and Bitcoin
Cash (BCH) seized from
20 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx,

21 Defendant.

22 First 100, LLC, 1st One Hundred Holdings,
23 LLC, and Battle Born Investments Company,
24 LLC,

25 Claimants.
26
27
28

Case No. 3:20-cv-07811 RS

**STIPULATION TO STAY EXECUTION
OF JUDGMENT PENDING APPEAL**

[PROPOSED] ORDER

The Hon. Richard Seeborg

Trial Date: None Set

1 Plaintiff United States of America (“United States”), Claimant Roman Hossain, Claimant
2 Lucas E. Buckley, Claimant Ilija Matukso, and Claimants Battle Born Investments Company,
3 LLC; First 100, LLC; and 1st One Hundred Holdings, LLC (collectively and hereinafter, the
4 “Battle Born Claimants”), by and through their respective counsel, hereby stipulate to the
5 following:

6 WHEREAS, on November 5, 2020, the United States initiated this civil-forfeiture action
7 against approximately 69,370 Bitcoin, Bitcoin Gold, Bitcoin SV, and Bitcoin Cash (collectively,
8 “the Property”);

9 WHEREAS, Roman Hossain, Lucas E. Buckley, Ilija Matukso, and the Battle Born
10 Claimants filed separate claims to the Property;

11 WHEREAS, on March 25, 2022, the Court granted the United States’ motions to strike the
12 claims of Roman Hossain, Ilija Matusko, and the Battle Born Claimants;

13 WHEREAS, on July 14, 2022, the Court granted the United States’ motion to strike the
14 claim of Lucas E. Buckley;

15 WHEREAS, on August 16, 2022, the Court entered final judgment in favor of the United
16 States;

17 WHEREAS, Roman Hossain, Lucas Buckley, Ilija Matukso, and the Battle Born
18 Claimants have filed Notices of Appeal, and their appeals are currently pending before the U.S.
19 Court of Appeals for the Ninth Circuit;

20 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the United States,
21 Claimant Roman Hossain, Claimant Lucas E. Buckley, Claimant Ilija Matukso, and the Battle
22 Born Claimants that, in order to preserve appellate jurisdiction in accordance with *United States v.*
23 *\$493,850.00 in U.S. Currency*, 518 F.3d 1159 (9th Cir. 2008), execution of the final judgment
24 through sale, liquidation, or transfer of the Property should be stayed until all appeals in this
25 matter have been resolved.

26 ///

27 ///

28 ///

COBLENTZ PATCH DUFFY & BASS LLP
ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
415.391.4800 • FAX 415.989.1663

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO STIPULATED.

DATED: September 23, 2022

By: /s/ Chris Kaltsas
Assistant United States Attorney

DATED: September 23, 2022

KUGELMAN LAW, P.C.

By: /s/ Alex Kugelman
Alex Kugelman
Attorneys for Claimant Ilija Matusko

DATED: September 23, 2022

ALMADANI LAW

By: /s/ Yasin Almadani
Yasin Almadani
Attorneys for Claimant Roman Hossain

DATED: September 23, 2022

HECHT PARTNERS LLP

By: /s/ Maxim Price
Maxim Price
Attorneys for Claimant Lucas E. Buckey as Trustee
of the Gox Victim Bitcoin Trust

COBLENTZ PATCH DUFFY & BASS LLP
ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
415.391.4800 • FAX 415.989.1663

1 DATED: September 23, 2022

COBLENTZ PATCH DUFFY & BASS LLP

3 By: /s/ Stan Roman

4 STAN ROMAN

5 Attorneys for BATTLE BORN INVESTMENTS
6 COMPANY, LLC; FIRST 100, LLC; and 1ST
7 ONE HUNDRED HOLDINGS, LLC
8
9

10 **ATTESTATION REGARDING ELECTRONIC SIGNATURES**

11 I, Stan Roman, the filer of this document, attest pursuant to N.D. Cal. L. R. 5-1(i)(3) that
12 all other signatories to this document on behalf of whom this filing is submitted concur in the
13 filing's content and have authorized this filing.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

The stipulation between the United States, Claimant Roman Hossain, Claimant Lucas E. Buckley, Claimant Ilija Matukso, and the Battle Born Claimants is hereby APPROVED. In order to preserve appellate jurisdiction in accordance with *United States v. \$493,850.00 in U.S. Currency*, 518 F.3d 1159 (9th Cir. 2008), execution of the final judgment is stayed until all appeals are resolved. The United States is ordered not to execute the judgment while the appeals are pending.

IT IS SO ORDERED.

Dated: _____

THE HON. RICHARD SEEBORG
CHIEF U.S. DISTRICT JUDGE

COBLENTZ PATCH DUFFY & BASS LLP
ONE MONTGOMERY STREET, SUITE 3000, SAN FRANCISCO, CALIFORNIA 94104-5500
415.391.4800 • FAX 415.989.1663